

REMARKS

Claims 1-20 are pending in the present case. Claims 1, 9, 16 are amended herein. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' prior art Figure 1 in view of Robsky et al. (U.S. Patent No. 5,838,309).

103 Rejection

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' prior art Figure 1 in view of Robsky et al. (US Patent No. 5,838,309). The Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as are recited in Claims 1-20 are neither shown nor suggested by Applicants' prior art Figure 1 in view of Robsky et al.

The Examiner is respectfully directed to independent Claim 1 which is drawn to a display assembly for a portable electronic device that comprises:

... a digitizer mechanism comprising a top film and a resistive digitizer element; and a single piece cover enclosure for said touch screen assembly that is disposed over and encloses the top and sides of said touch screen assembly and said top film of said digitizer mechanism and that is coupled to said top film to allow mechanical transfer between said single piece cover and said digitizer mechanism ...

Independent Claims 9 and 16 recite distinguishing limitations similar to those recited in Claim 1. Claims 2-8 depend from independent Claim 1, Claims 10-15 depend from

independent Claim 9, and Claims 17-20 depend from independent Claim 16 and set forth additional limitations of embodiments of the present invention.

The cited combination fails to anticipate or render obvious the embodiments of Applicants' invention as are set forth in Claims 1, 9 and 16 as each of the references employed in the cited combination fails to teach or suggest limitations that are set forth in these Claims. More specifically, the base reference Applicants' prior art Figure 1, does not teach or suggest limitations recited in the claims and the secondary reference Robsky et al. does not remedy the deficiencies of Applicants' prior art Figure 1.

In particular, the base reference, Applicants' prior art Figure 1, does not teach or suggest an integrated enclosure touch screen assembly that includes "a single piece cover enclosure for said touch screen assembly that is disposed over and encloses the top and sides of said touch screen assembly and said top film of said digitizer mechanism and that is coupled to said top film to operate therewith as a single physical layer and to allow mechanical transfer between said single piece cover and said digitizer mechanism" as is set forth in Claim 1 (Claims 9 and 16 contain similar limitations). In contrast, Applicants' prior art Figure 1 shows a dissimilar touch screen assembly that clearly does not include a single piece cover enclosure that is disposed over and encloses the top and sides of the touch screen assembly and the top film of the digitizer mechanism.

Referring to Applicants' Figure 1, the outermost protective film 110 which is equated in the outstanding Office Action to the recited single piece cover enclosure, does not enclose the top and sides of the touch screen assembly with which it is associated, but

is limited to the area located directly above a digitizer mechanism. Consequently, the embodiments of the Applicants' invention as are set forth in Claims 1, 9 and 16 are not anticipated or rendered obvious by Applicants' prior art Figure 1 because of the failure of Applicants' prior art Figure 1 to teach or suggest the above noted limitations.

Robsky et al. does not teach or suggest a modification of Applicants' prior art Figure 1 that would remedy the deficiencies of Applicants' prior art Figure 1 outlined above. More specifically, Applicants' prior art Figure 1 in view of Robsky et al. does not render obvious an integrated enclosure touch screen assembly that includes "a single piece cover enclosure for said touch screen assembly that is disposed over and encloses the top and sides of said touch screen assembly and said top film of said digitizer mechanism and is coupled to said top film to operate therewith as a single physical layer and to allow mechanical transfer between said single piece cover enclosure and said digitizer mechanism" as is recited in Claim 1 (Claims 9 and 16 contain similar limitations).

Robsky et al. teaches a dissimilar self-tensioning membrane touch screen assembly (see abstract). It should be noted that structure 24 of Robsky et al. is equated to the single piece cover enclosure of Claim 1 in the outstanding Office Action. However, as is shown in by Robsky et al. at Figure 1, structure 24 only partially encloses components of the touch screen assembly that is disclosed by Robsky et al. and is not coupled to act as a single physical layer with structures that are provided underneath (there is a space between structure 24 and the other structures that lie beneath it). It is important to note that the sides of the touch screen assembly are not enclosed by structure 24. In fact, only

a small portion of the sides are covered. This can not be fairly equated to the actual enclosure of the top and sides of a touch screen assembly that is required to meet the limitations set forth in the Applicants' claims and shown in Applicants' Figure 3.

The Applicants respectfully submit that nowhere in the Robsky et al. reference is a cover enclosure that is disposed over and encloses the top and sides of a touch screen assembly and a top film coupled to the top film to operate therewith as a single physical layer as is set forth in Claims 1, 9 and 16. Therefore, even if Applicants' prior art Figure 1 and Robsky et al. are combined as is suggested in the outstanding Office Action, the embodiments of Applicants' invention would not be anticipated or rendered obvious as significant limitations of the claims are not covered by the combination of Applicants' prior art Figure 1 and Robsky et al. Consequently, the embodiments of the Applicants' invention as are set forth in Claims 1, 9 and 16 are not anticipated or rendered obvious by Applicants' prior art Figure 1 and Robsky et al. either alone or in combination.

Therefore, Applicants respectfully submit that Applicants' prior art Figure 1 and Robsky et al., either alone or in combination, do not teach or suggest the embodiments of Applicants' invention as are set forth in Claims 1, 9, and 16 and, as such, Claims 1, 9, and 16 are not properly rejected based on these references under 35 U.S.C. §103, and are in condition for allowance. Accordingly, Applicants respectfully submit that Claims 2-8 dependent on Claim 1, Claims 10-15 dependent on Claim 9, and Claim 17-20 dependent on Claim 16 likewise are not properly rejected under 35 U.S.C. §103 based on the cited references, and that these Claims are likewise in condition for allowance as being dependent on an allowable base claim.

SUMMARY

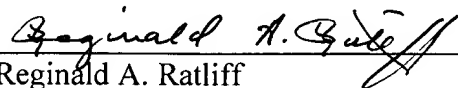
In view of the foregoing amendments and remarks, the Applicants respectfully submit that the pending claims are in condition for allowance. The Applicants respectfully request reconsideration of the Application and allowance of the pending Claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Reginald A. Ratliff at (408) 938-9060.

Respectfully submitted,

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